

January 31, 2002

ENERGY & ENVIRONMENT  
COMMITTEE  
REPORT NO. 2

ALL MEMBERS PRESENT EXCEPT LEGISLATOR CHASE.

1. **RESOLVED**, that the following item is hereby received and filed.

- |    |                                |  |       |               |
|----|--------------------------------|--|-------|---------------|
|    | Item                           | Page   | -2002 | (Comm. 3E-35) |
| a. | <b>COUNTY EXECUTIVE:</b>       | ECSD No. 2 – 18 Mile Creek & Sweetland Road Pumping Station Modifications. |       |               |
|    | (4-0) Legislator Chase absent. |  |       |               |

- |    |                         |      |       |                                    |
|----|-------------------------|------|-------|------------------------------------|
| 2. | Item                    | Page | -2001 | <b>AS AMENDED</b><br>(Comm. 1E-27) |
|    | <b>COUNTY EXECUTIVE</b> |      |       |                                    |

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DATED \_\_\_\_\_, 2002.

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF CONSIDERING A PROPOSED EXTENSION OF THE ERIE COUNTY SEWER DISTRICT NO.4 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) January 31, 2002  
(Adopted) \_\_\_\_\_, 2002

WHEREAS, pursuant to proceedings heretofore had and taken in accordance with the provisions of Article 5-A of the County Law, a report of the Erie County Sewer Agency dated October 24, 2001 and a resolution of the Erie County Sewer District No. 4 Board of Managers dated October 24, 2001, an extension of Sewer District No. 4 of the County of Erie, New York has been proposed; and

WHEREAS, a map and plan have been duly prepared by the County Engineers (Erie County Department of Environment and Planning) relating to such extension of the Erie County Sewer District No. 4, which map and plan have been filed with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, there will be no additional capital costs incurred by or on behalf of the Erie County Sewer District No. 4 with respect to the extension of the boundaries of such District, in accordance with applicable flat charges and charges based on units, assessed value and footage, specified in the District's benefit assessment formula and rates, as such formulas currently exist and as amended from time to time; and

WHEREAS, pursuant to Section 258 of the County Law, the consent of the State Comptroller is not required prior to the extension of said Erie County Sewer District No. 4 because such extension is not to be financed by the issuance of bonds, notes, certificates or other evidences of indebtedness of the County; and

WHEREAS, it is now desired to call a public hearing to consider said extension of the Erie County Sewer District No. 4 in accordance with the provisions of Sections 254 and 274 of the County Law;

NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at 25 Delaware Avenue, Legislative Chambers, 7<sup>th</sup> Floor, in Buffalo, New York, in said County, on the 21<sup>st</sup> day of March, 2002, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposal to extend the Erie County Sewer District No. 4 in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law.

Section 2. The notice of such public hearing shall be in substantially the following form, to-wit:

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in the Front Page and in the Hamburg Sun, the official newspapers of said County, not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 4. This resolution shall take effect immediately.  
(4-0) Legislator Chase absent.

**AS AMENDED**  
(Comm. 15E-35)

3. Item Page -2001

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Legislature had awarded Contract "D", to Industrial Power & Lighting Corp. for the Erie County Sewer District Nos. 1, 4 & 5 Northern Region Administration Building Project; and

WHEREAS, the Erie County Division of Sewerage Management has advised the Legislature that all scheduled improvements are now completed; and

WHEREAS, the Erie County Department of Environment and Planning has recommended the acceptance of Contract "D" in the final contract amount of \$238,931.75 which includes Change Order No. D-2 (final) an increase of \$494.75, and approval for final payment.

NOW, THEREFORE, BE IT

RESOLVED, that Contract "D" between the County of Erie and Industrial Power & Lighting Corp., 701 Seneca Street, Buffalo, New York 14210, is accepted in the amount of \$238,931.75, which includes Change Order No. D-2 (final) an increase of \$494.75, and final payment is approved; and be it further

RESOLVED, that the Erie County Comptroller is hereby authorized and directed to finalize Contract "D" between the County of Erie and Industrial Power & Lighting Corp. in the amount of \$238,931.75 and make final payment from Sewer Capital Account SD #1, 4 & 5, Fund No.430, Project No.916.; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Department of Environment and Planning, and one certified copy to the Director of Budget and Management, Erie County Comptroller's Office and Gregory Dudek, Assistant County Attorney.  
(4-0) Legislator Chase absent.

4. Item Page -2002 (Comm. 3E-33)

**COUNTY EXECUTIVE**

WHEREAS, authorization to create an Information Technology Engineer position, Job Group 11, and the deletion of an Assistant Project Engineer position, Job Group 9, has been requested by the Division of Sewerage Management (DSM); and

WHEREAS, the DSM has found the change necessary to more accurately reflect the current job duties and skill requirements which include a thorough knowledge of information technology and related communication, software, and hardware as well as the principles, applications and techniques of civil engineering.

NOW, THEREFORE, BE IT

RESOLVED, that in the DSM the position of Information Technology Engineer, Job Group 11, be created and that the Assistant Project. Engineer position (position number 816050), Job Group 9, be deleted; and be it further

RESOLVED, that the increased cost of the salary for the Information Technology Engineer estimated to be \$6,143 be funded from anticipated unexpended salary costs in the DSM by leaving the position of Administrative Assistant - Sewerage Management vacant for three (3) months; and be it further

RESOLVED, that the Clerk of the Legislature be directed to send two (2) certified copies of this resolution to Charles J. Alessi, P.E., Commissioner of the Department of Environment and Planning, and one copy to Len Lenihan, Commissioner, Erie County Personnel Department, Nancy Naples, Erie County Comptroller, and Joseph Passafiume, Director, Budget, Management and Finance.  
(4-0) Legislator Chase absent.

5. Item Page -2002 (Comm. 3E-34)

**COUNTY EXECUTIVE**

WHEREAS, Erie County, through the Department of Environment and Planning, serves as the administrative agent for the Erie County/Town of West Seneca Community Development Block Grant Consortium and Erie County/Town of West Seneca/Town of Hamburg HOME Investment Partnership Consortium; and

WHEREAS, a major responsibility of the Department as the administrative agent, is the submittal to the federal Department of Housing and Urban Development annual grant and program application materials.

NOW, THEREFORE BE IT

RESOLVED, that the County Executive, on behalf of the Erie County Community Development Block Grant Consortium and Town of Hamburg/Erie County HOME Consortium, is hereby authorized to submit a Year 2002 consolidated application to the federal Department of Housing and Urban Development (HUD) for the 2002 Program Year having an estimated dollar amount as indicated.

- |   |             |
|---|-------------|
| 1. Community Development Block Grant Program: | \$3,629,000 |
| 2. Emergency Shelter Grant Program:           | \$ 104,000  |
| 3. HOME Investment Partnership Program:       | \$1,294,000 |

and be it further

RESOLVED, that the County Executive on behalf of the Erie County Community Development Block Grant Consortium and Town of Hamburg/Erie County HOME Consortium is hereby authorized to execute any and all agreements with HUD and local governments necessary to implement the above programs, and be it further

RESOLVED, that copies of this resolution shall be forwarded to the Commissioner of the Department of Environment and Planning, the County Comptroller, and the Director of the Division of Budget, Management, and Finance.  
(4-0) Legislator Chase absent.

6. Item Page -2002 (Comm. 3E-36)

**COUNTY EXECUTIVE**

WHEREAS, Erie County is interested in participating in a environmental study at the former Bethlehem Steel site; and

WHEREAS, Erie County desires to encourage the redevelopment of abandoned industrial sites know as brownfields; and

WHEREAS, The Bethlehem Steel Corporation has agreed to share in the costs of this Phase I environmental study; and

WHEREAS, The Erie County Office of Economic Development has funds committed to this effort and has agreed to coordinate the project,

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts with and accept funds from the Bethlehem Steel Corporation in amounts not to exceed twenty thousand dollars (\$20,000.00), for the purpose of funding environmental studies in the promotion of this sector of the local economy; and be it further

RESOLVED, that the County Executive is authorized to select and enter into contracts with consultants for Phase I Environmental Studies and other related studies and activities for a total amount not to exceed \$35,000; and be it further

RESOLVED, that the source of the funds will be up to \$20,000 available in the Erie County Community Development Block Grant Program; and be it further

RESOLVED, that the County of Erie is authorized to establish a grant project for this purpose and to establish a budget as follows:

Account	Description	Amount
549-0147	Contribution from Bethlehem Steel	\$ 15,000
685-6201	Interfund Revenues - Community Development	<u>\$ 20,000</u>
	Total Revenues	<u>\$ 35,000</u>
826	Other Expenses	\$ 1,500
830	Contractual Agencies	<u>\$ 33,500</u>
	Total Appropriations	<u>\$ 35,000</u>

And be it further

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the County Executive, the Commissioner of the Department of Environment and Planning, the Director of the Division of Budget, Management and Finance, the County Attorney and the Erie County Comptroller.

(4-0) Legislator Chase absent.

7. Item Page -2002 (Comm. 3E-37)

**COUNTY EXECUTIVE**

WHEREAS, Erie County is interested in assisting with the efforts by the 19 member communities of the Southtowns Water Consortium and the Erie County Water Authority (ECWA) in Erie County to determine the financial and engineering of providing safe potable water within the consortium; and

WHEREAS, Erie County desires to encourage efforts to sustain and improve the health, safety and quality of life in the communities within the consortium; and

WHEREAS, The Southtowns Water Consortium has identified over 4200 private wells with some level of health concerns and low water quantities over the past 5 years; and

WHEREAS, The Southtowns Water Consortium desires to establish the feasibility and cost requirements needed to address these health and quality of life issues in the Consortium's communities; and

WHEREAS, Erie County desires to work with the Southtowns Water Consortium and the ECWA, which is implementing this process; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into contracts not to exceed two hundred thousand dollars (\$200,000.00) with the ECWA, as lead agency on behalf of the Southtowns Water Consortium; and be it further

RESOLVED, that the source of the funds will be \$200,000.00 available in the Regionalism/ Economic Development, DAC 110 904 303 830, Subaccount 1299, which will be transferred to Agency Payments monitored by the Department of Environment and Planning, General Fund 110, Project 922, Department 302, Account 830, and be it further,

RESOLVED, that the Clerk of the Legislature be directed to send certified copies of this resolution to the Director of the Division of Budget, Management and Finance, the Comptroller, the Commissioner of the Department of Environment and Planning and the County Attorney.  
(4-0) Legislator Chase absent.

8. Item Page -2002 (Comm. 3E-38)

**COUNTY EXECUTIVE**

WHEREAS, the Erie County Department of Environment and Planning monitors the Erie County Sport Fishery Promotion Program; and

WHEREAS, Jim Hanley's Northeast Outdoors, Inc. was selected as the Erie County Sport Fishery Promotion Program vendor having been selected in response to requests for proposals (RFP) in 2000; and

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Executive is hereby authorized to enter into a contract for the year 2002 with Jim Hanley's Northeast Outdoors, Inc. for an amount not to exceed \$65,000 for the purpose of undertaking a year 2002 Sport Fishing Promotion Program in Erie County; and be it further

RESOLVED, that the requirements for request for proposals in Section 19.08 of the Erie County Administrative Code are hereby waived since this special service must be provided immediately and it is not deemed feasible nor cost effective for the County to undertake this process; and be it further

RESOLVED, that the source of funds for the contract shall include monies appropriated in the following:

1. \$50,000 - Fund 110, Project 922, Department 302 - Agency Payments Public Benefits, Department of Environment and Planning Account 830, sub-account 0764, Sport Fishing Promotion Program.
2. \$15,000 - Fund 110, Project 945, Department 620 - Environment and Planning, Account 830, sub-account 0764, Sport Fishing Promotion Program.

RESOLVED, that said agreement shall be for continuing the Erie County Sport Fishing Promotion Program initiated in 2000 in Erie County, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Commissioner of the Department of Environment and Planning, the County Comptroller and the Director of Budget, Management and Finance.

(4-0) Legislator Chase absent.

**JOHN W. GREENAN**  
**CHAIRMAN**